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09/490,700 01/24/2000		Bernard Conrad	61130/JPW/KRD	7519		
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Boston, MA 0	2111		ART UNIT	PAPER NUMBER		
		t	1642	1642 DATE MAILED: 01/29/2003		
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Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. CORRAD ET AL. Examinor MISON YU, Ph.D. 1642	<u> </u>							
Examiner MISOOK YU. Ph.D. 1642 1642	Office Action Summary		Application No. Applicant(s)		· -			
MISOOK YU, Ph.D. 1642			09/490,700		CONRAD ET AL.			
The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exercises for the may be penialized under the provious of 3 CFR 1.138(a). In a event, however, may a reply be timely filled Exercised for may be penialized under the provious of 3 CFR 1.138(a). In a event, however, may a reply be timely filled If the pared for reply separation under the provious of 3 CFR 1.138(a). In a event, however, may a reply be timely filled If the pared for reply separation under the provious of 3 CFR 1.138(a). In a event, however, may a reply be timely filled If the pared for reply separation under the provious of 3 CFR 1.138(a). In a event, however, may a reply be timely filled. If the pared for reply separation is the state of the provious of the pared to the pared to the pared to the pared to the provious of the pared to the pared t			Examiner		Art Unit			
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extension of time may be walkable under the processor of 3°CPR 1.15(a). In no event, however, may a raply be timely filed Extension of the period for reply specified above is uses than theiry (30) days, a raply within the statutory minimum of thinty (30) days will be considered timely. If the period for reply specified above is uses than theiry (30) days, a raply within the statutory minimum of thinty (30) days will be considered timely. If the period for reply specified above is uses than theiry (30) days, a raply within the statutory minimum of theiry (30) days will be considered timely. If the period for reply specified above, the maximum statutory period will apply and will expire X(e) (MONTAS from the mainling date of this communication. Falsa to reply within the soft or extended period for reply will, by statute, case the application to become ABANDONED (SUIS.C. § 133). Part of the statute of the statute of their communication. This action is FINAL. 2b)			ears on the cover	sheet with the c	orrespondence add	dress		
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are epiected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121. Attachment(s) 10 Notice of References Cited (PTO-952)	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
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Application/Control Number: 09/490,700

Art Unit: 1642

The Examiner of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Examiner Misook Yu.

DETAILED ACTION

Response to Amendment

The amendment to the claims filed on 10/29/2002 does not comply with the requirements of 37 CFR 1.121(c) because the marked up version is not a marked up version but a copy of the clean version. Amendments to the claims filed after March 1, 2001 must comply with 37 CFR 1.121(c) which states:

- (c) Claims.
- (1) <u>Amendment by rewriting, directions to cancel or add</u>: Amendments to a claim must be made by rewriting such claim with all changes (e.g., additions, deletions, modifications) included. The rewriting of a claim (with the same number) will be construed as directing the cancellation of the previous version of that claim. A claim may also be canceled by an instruction.
- (i) A rewritten or newly added claim must be in clean form, that is, without markings to indicate the changes that have been made. A parenthetical expression should follow the claim number indicating the status of the claim as amended or newly added (e.g., "amended," "twice amended," or "new"). (ii) If a claim is amended by rewriting such claim with the same number, the amendment must be accompanied by another version of the rewritten claim, on one or more pages separate from the amendment, marked up to show all the changes relative to the previous version of that claim. A parenthetical expression should follow the claim number indicating the status of the claim, e.g., "amended," "twice amended," etc. The parenthetical expression "amended," "twice amended," etc. should be the same for both the clean version of the claim under paragraph (c)(1)(i) of this section and the marked up version under this paragraph. The changes may be shown by brackets (for deleted matter) or underlining (for added matter), or by any equivalent marking system. A marked up version does not have to be supplied for an added claim or a canceled claim as it is sufficient to state that a particular claim has been added, or canceled.
- (2) A claim canceled by amendment (deleted in its entirety) may be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number.

Since the reply filed on 10/29/2002 appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE** (1) **MONTH** or **THIRTY** (30) **DAYS** from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to MISOOK YU, Ph.D. whose telephone number is 703-308-2454. The examiner can normally be reached on 8 A.M. to 5:30 P.M., every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony C Caputa can be reached on 703-308-3995. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3014 for regular communications and 703-872-9307 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Misook Yu January 27, 2003

ANTHONY C. CAPUTA CUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 1600